

FILED

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA

2014 OCT 14 P 3:51

U.S. DISTRICT COURT  
EASTERN DIST. TENN.

SUNTRUST BANK,

Plaintiff,

v.

PATRICK FULTZ,

Defendant.

DEPT. CLERK

Civil Action No: 1:11-CV-132

CONSENT JUDGMENT

Upon the agreement between Plaintiff, SunTrust Bank ("SunTrust"), and Defendant, Patrick Fultz ("Mr. Fultz"), as evidenced by the signatures of their counsel and Mr. Fultz below, and upon the Court having determined that there is no just reason to delay the entry of a final judgment with respect to SunTrust's contract claims for damages against Mr. Fultz, it is therefore

**ORDERED, ADJUDGED AND DECREED**, that SunTrust be and hereby is awarded a judgment against Mr. Fultz on Count II of SunTrust's Complaint in the principal amount of Two Hundred Fifteen Thousand One Hundred Thirty-Three and 62/100 Dollars (\$215,133.62). It is further

**ORDERED, ADJUDGED AND DECREED**, that SunTrust be and hereby is awarded a judgment against Mr. Fultz on Count II of SunTrust's Complaint for accrued interest in the amount of Forty Thousand Nine Hundred Sixty-Nine and 73/100 Dollars (\$40,969.73) as of July 30, 2014, plus a per diem amount of Twenty-Five and 48/100 Dollars (\$25.48) through the date of entry of this Consent Judgment. It is further

CHD-643483-2

**ORDERED, ADJUDGED AND DECREED**, that SunTrust be and hereby is awarded a judgment against Mr. Fultz on Count II of SunTrust's Complaint for late fees in the amount of Seven Thousand One Hundred Six and 04/100 Dollars (\$7,106.04) as of July 30, 2014. It is further

**ORDERED, ADJUDGED AND DECREED**, that SunTrust be and hereby is awarded a judgment against Mr. Fultz on Count II of SunTrust's Complaint in the amount of Twenty-Seven Thousand Four Hundred Sixty-Six and 76/100 Dollars (\$27,466.76) for costs of collection, including reasonable attorney fees, incurred through July 30, 2014. It is further

**ORDERED, ADJUDGED AND DECREED**, that SunTrust be and hereby is awarded a total judgment, including all amounts set forth above, against Mr. Fultz on Count II of SunTrust's Complaint in the total amount of Two Hundred Ninety Thousand Six Hundred Seventy-Six and 15/100 Dollars (\$290,676.15), plus a per diem amount of Twenty-Five and 48/100 Dollars (\$25.48) through the date of entry of this Consent Judgment. It is further

**ORDERED, ADJUDGED AND DECREED**, that SunTrust be and hereby is awarded post-judgment interest at the maximum rate permitted by law. It is further

**ORDERED, ADJUDGED AND DECREED**, that this Consent Judgment is a final judgment because defendants Taylormade Creations, Inc. and Steven A. Hooper were dismissed with prejudice and defendant Steve Fultz received a bankruptcy discharge after this action was filed.

SO ORDERED this 14<sup>th</sup> day of October, 2014.

BY THE COURT:



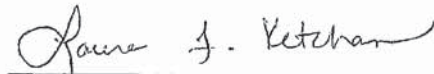
CJID-643483-2

APPROVED FOR ENTRY:

  
(Patrick Fultz)

**HUSCH BLACKWELL LLP**

By:



Ryan W. Mitchem (BPR No. 022196)

[ryan.mitchem@huschblackwell.com](mailto:ryan.mitchem@huschblackwell.com)

Laura F. Ketcham (Bar No. 024543)

[laura.ketcham@huschblackwell.com](mailto:laura.ketcham@huschblackwell.com)

736 Georgia Avenue, Suite 300

Chattanooga, TN 37402

Telephone: (423) 266-5500

Facsimile: (423) 266-5499

*Counsel for SunTrust Bank*

**BUTLER, VINES & BABB**

By:



James C. Wright (BPR No. 009285)

[JWright@bvblaw.com](mailto:JWright@bvblaw.com)

2701 Kingston Pike

P.O. Box 2649

Knoxville, TN 37901

Telephone: (865) 637-3531

Facsimile: (865) 637-3385

*Counsel for Defendant*

*Patrick Fultz*

CHD-643483-2